United Nations A/ES-10/PV.3

General Assembly
Tenth Emergency Special Session

Official Records

3rd plenary meeting
Friday, 25 April 1997, 10 a.m.
New York

President: Mr. Razali Ismail ..... (Malaysia)

In the absence of the President, Mr. Minoves-Triquell (Andorra), Vice-President, took the Chair.

The meeting was called to order at 10.05 a.m.

Agenda item 3 of the provisional agenda *(continued)*

Credentials of representatives to the tenth emergency special session of the General Assembly

(b) Report of the Credentials Committee (A/ES-10/5)

The Acting President: The draft resolution recommended by the Credentials Committee in paragraph 12 of its report (A/ES-10/5) was adopted without a vote in the Committee.

May I take it that the General Assembly wishes to do likewise?

The draft resolution was adopted (resolution ES/10-1).

Agenda item 5 of the provisional agenda *(continued)*

Illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territories (A/ES-10/L.1)

The Acting President: I call on the representative of Indonesia to introduce draft resolution A/ES-10/L.1.

Mr. Sriwidjaja (Indonesia): I deem it a distinct honour and privilege to introduce, on behalf of the sponsors — Afghanistan, Algeria, Bahrain, Bangladesh, Bosnia and Herzegovina, Brunei Darussalam, the Comoros, Cuba, the Democratic People's Republic of Korea, Djibouti, Egypt, India, Indonesia, Jordan, Kuwait, Madagascar, Malaysia, Mauritania, Mauritius, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Sierra Leone, Sudan, Tunisia, the United Arab Emirates, the United Republic of Tanzania, Viet Nam, Yemen and Zimbabwe — the draft resolution contained in document A/ES-10/L.1 concerning illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory.

By the terms of the preambular paragraphs of the draft resolution, the General Assembly would express awareness of the commencement, after the adoption of General Assembly resolution 51/223, of construction by Israel, the occupying Power, of a new settlement in Jabal Abu Ghneim to the south of East Jerusalem on 18 March 1997, as well as of other illegal Israeli actions in Jerusalem and the rest of the occupied Palestinian territory.

It would note with regret that the Security Council, at its 3747th meeting and at its 3756th meeting, failed twice to adopt a resolution on the actions referred to above, as a result of the negative vote of a member of the Council. It would reaffirm the permanent responsibility of the United Nations with regard to the question of Palestine until it is solved in all its aspects

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and also the principle of the inadmissibility of the acquisition of territory by force.

The Assembly would consider the serious deterioration of the situation in the occupied Palestinian territory, including Jerusalem, and in the Middle East in general, including the serious difficulties facing the Middle East peace process, as a result of recent Israeli actions and measures. It would affirm its support for the Middle East peace process, started at Madrid in 1991, on the basis of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) and the principle of land for peace and for the full and timely implementation of the agreements reached between the Government of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, as well as of all commitments reached between the parties.

The Assembly would recall its relevant resolutions, including resolution 181 (II) and 51/223, and the relevant resolutions of the Security Council, in particular those on Jerusalem and Israeli settlements in the occupied territories, including resolutions 252 (1968), 446 (1979), 452 (1979), 465 (1980), 476 (1980), 478 (1980), 672 (1990) and 1073 (1996). It would reaffirm that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of the unique spiritual and religious dimension of the City, as foreseen in relevant United Nations resolutions on this matter.

The Assembly would further reaffirm the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949 and the Hague Regulations of 1907 to the occupied Palestinian territory, including Jerusalem, and all other Arab territories occupied by Israel since 1967.

Through the preambular paragraphs, the Assembly would also recall the obligation of the high contracting parties to the Geneva Convention to respect and ensure respect for the Convention in all circumstances, in accordance with article 1 of the Convention. It would express its awareness of the serious dangers arising from persistent violation and grave breaches of the Convention and the responsibilities arising therefrom.

The Assembly would express its conviction that ensuring respect for treaties and other sources of international law is essential for the maintenance of international peace and security, and its determination, in accordance with the preamble of the Charter of the United Nations, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained. In this context, it would express its conviction that the repeated violation by Israel, the occupying Power, of international law and its failure to comply with relevant Security Council and General Assembly resolutions and the agreements reached between the parties undermine the Middle East peace process and constitute a threat to international peace and security.

The Assembly would express increasing concern about the actions of armed Israeli settlers in the occupied Palestinian territory, including Jerusalem, and, finally, its awareness that, in the circumstances, it should consider the situation with a view to making appropriate recommendations to the Members of the United Nations, in accordance with General Assembly resolution 377 A (V) of 1950.

Through operative paragraph 1 of the draft resolution, the General Assembly would condemn the construction by Israel, the occupying Power, of a new settlement in Jabal Abu Ghneim to the south of occupied East Jerusalem and all other illegal Israeli actions in all the occupied territories.

In operative paragraph 2, the Assembly would reaffirm that all legislative and administrative measures and actions taken by Israel, the occupying Power, that have altered or purported to alter the character, legal status and demographic composition of Jerusalem are null and void and have no validity whatsoever.

In operative paragraph 3, the Assembly would also reaffirm that Israeli settlements in all the territories occupied by Israel since 1967 are illegal and an obstacle to peace.

Operative paragraphs 4 and 5 contain demands for an immediate and full cessation of the construction in Jabal Abu Ghneim and of all other Israeli settlement activities, as well as of all illegal measures and actions in Jerusalem; that Israel accept the *de jure* applicability of the Geneva Convention to all the territories occupied since 1967; and that it comply with relevant Security Council resolutions, in accordance with the Charter of the United Nations.

Operative paragraph 6 stresses the need to preserve the territorial integrity of all the occupied Palestinian territory and to guarantee the freedom of movement of

persons and goods in the territory, including the removal of restrictions into and from East Jerusalem, as well as the freedom of movement to and from the outside world; while operative paragraph 7 contains a call for the cessation of all forms of assistance and support for illegal Israeli activities in the occupied Palestinian territory, including Jerusalem, in particular settlement activities.

Operative paragraph 8 recommends to the States that are high contracting parties to the Geneva Convention to take measures, on a national or regional level, in fulfilment of their obligations under article 1 of the Convention, to ensure respect by Israel, the occupying Power, of the Convention.

The Secretary-General is requested under paragraph 9 to monitor the situation and to submit a report on the implementation of this draft resolution, within two months of its adoption, in particular on the cessation of the construction of the new settlement in Jabal Abu Ghneim as well as of all other illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory.

Operative paragraph 10 expresses the need for scrupulous implementation of the agreements reached between the parties, and urges the sponsors of the peace process, the interested parties and the entire international community to exert all the necessary efforts to revive the peace process and ensure its success.

Operative paragraph 11 recommends that a comprehensive, just and lasting solution to the question of the City of Jerusalem, which should be reached in permanent status negotiations between the parties, should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the Holy Places by the faithful of all religions and nationalities.

By operative paragraph 12, the Assembly would reject terrorism in all its forms and manifestations, in accordance with all relevant United Nations resolutions and declarations.

Finally, through operative paragraph 13, the Assembly would decide to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly to resume its meetings upon request from Member States.

We are all only too mindful of the series of events which have made the present emergency special session of the General Assembly necessary. We are equally conscious of the exceptional significance of an emergency special session of the General Assembly, called in accordance with resolution 377 (V), entitled "Uniting for peace". Yet I deem it useful at this juncture to refer to the statement of the Permanent Observer of Palestine to the United Nations yesterday, who so eloquently placed the present emergency special session in its proper context. He reminded us that we are indeed uniting for peace: uniting against the violation of international law and United Nations resolutions; uniting to confront the arrogance of power and the mentality of occupation; uniting to oppose the misuse of the veto and attempts to neutralize the Security Council; uniting to rescue the Middle East peace process; and uniting for a just solution to the question of Palestine and the establishment of a just, lasting and comprehensive peace in the region.

The draft resolution before the Assembly is indeed a draft to unite for peace. Thus, on behalf of the sponsors, I commend the adoption of the draft resolution by this Assembly.

Mr. Jonah (Sierra Leone): I should like to begin by commending the United States Government for its foresight in shepherding, in 1950, the draft text that resulted in the resolution under whose provisions we are meeting today. My delegation has given full consideration to the views of those who question the wisdom of convening this tenth emergency special session. Nevertheless, Sierra Leone, in supporting the convening of this session of the General Assembly, has been guided by some weighty considerations which formed a significant part of the case that John Foster Dulles made on 1 November 1950, when he urged Member States to support the draft resolution that became resolution 377 (V).

Those pivotal considerations were formulated according to certain principles. First, at San Francisco in 1945, the small and medium-sized States had agreed to the right of veto only on condition that the General Assembly was granted the power to intervene and to make recommendations within the framework of Chapters VI and VII of the Charter, in cases in which the Security Council was unable to discharge its primary responsibility. Secondly, Mr. Dulles emphasized that the United States considered that the responsibility for maintaining peace was not the monopoly of the great Powers, and that informed world opinion was the factor most likely to affect the course of events. There was even every reason to believe that, better than any other organ,

the General Assembly would reflect world opinion on the question of what was right — in other words, the supremacy of law. Thirdly, it was understood that the very fact that the General Assembly would stand ready to act if the Security Council failed to fulfil its primary responsibility would stimulate the members of the Council to cooperate so that that organ might function as was contemplated in the Charter.

My delegation believes that these considerations are as relevant today as they were then. That is why we cannot agree with the notion that discussion in the General Assembly of the situation in the Middle East or the question of Palestine is antagonistic to the peace process. There is ample evidence to demonstrate that deliberations in the General Assembly on these question have made significant contributions to the long-term peace process in the area. It should be borne in mind that invoking the provisions of resolution 377 (V) during the Suez crisis in 1956 made it possible for the General Assembly to authorize the very first United Nations peacekeeping operation.

In the aftermath of the June 1967 conflict in the Middle East, the General Assembly met in a very important special session. Let me recall what the veteran former Israeli Foreign Minister, Mr. Abba Eban, said in his autobiography about the outcome of that session. He wrote:

> "There was no doubt that Israel had gained one of the greatest political victories of her international career."

Furthermore, it was as a result of the deliberations at that emergency special session that the Security Council was compelled to meet again, and eventually adopt the now-famous Security Council resolution 242 (1967), which remains the bedrock of all peace efforts today in the Middle East.

All the parties involved today in the Middle East have reached a consensus that the Oslo peace process is in grave danger of collapse, and there are no immediate prospects for arresting the present deteriorating trend. In these circumstances, how can the General Assembly remain silent, particularly when the use of the veto, twice within a brief period, has frustrated all action by the Security Council?

The Middle East, or West Asia as some would like to call the region, remains a strategic flash point, despite the end of the cold war. Even though enormous progress has been made in recent years, the deplorable conditions in which the Palestinian refugees live remain unimproved. My delegation therefore believes that the time is opportune for the United Nations, through the General Assembly, to make its contribution.

We value the critical role played by the United States Government in the peace process, and we continue to believe that direct negotiation is an ideal objective. But we cannot ignore the fact that adverse political rhetoric and imprudent actions have weakened the foundations of peace in the area. We all applauded the commencement of the Oslo peace process and the early efforts to implement the agreement, but we are definitely now at an impasse, and urgent action is required.

My delegation stands ready to cooperate with all concerned to ensure that the peace process is put back on track.

Mr. Richardson (United States of America): Twice in the Security Council, and once in this Assembly, I have made clear my Government's view of Israel's decision to begin construction at Har Homa/Jabal Abu Ghneim: it is unhelpful to the peace process. On those occasions, I voted against the draft resolutions that had been submitted because the United States did not believe that they would have advanced the peace process. Today, as a sponsor of that process, the United States urges members of this Assembly to vote against the draft resolution before us, which we believe will actually make harder the difficult task before us: rebuilding confidence between the parties and reactivating a productive negotiation process.

Let me repeat that my Government shares the concerns expressed here and in the Security Council about the decision of the Israeli Government to begin construction at this site. As President Clinton said last month, we would have preferred that this decision had not been made. It undermines the trust and confidence so badly needed in creating the appropriate environment for successful negotiations, especially on the difficult issues involved in the permanent status talks.

The achievement of a just, lasting and comprehensive peace in the Middle East requires an honest negotiating process. The parties must take special care to avoid pre-emptive actions that can be seen to prejudge the outcome of negotiations, while working hard to nurture an atmosphere of trust and confidence that will make productive negotiations possible. The decision on Har Homa/Jabal Abu Ghneim did just the opposite. We regret that it was taken.

However, our responsibility as a co-sponsor of the peace process requires us to tell our friends in the United Nations frankly: the Security Council and the General Assembly should not insert themselves into issues that the negotiating partners have decided will be addressed in the permanent status talks. This can only harden the positions of both sides and make their work even more difficult. It will add to existing tensions in the region, complicate the efforts of all parties to get the negotiations back on a productive track and distract attention from the main objective: making progress towards a peaceful, prosperous Middle East. Such progress is the shared goal of most of us in this Hall.

However, the draft resolution now before the General Assembly will fail to help achieve that goal. It is harmful to the prospects for revitalizing the Middle East peace process. The call made by some speakers yesterday for collective action against a Member State is inconsistent with the responsibilities of the Assembly and dangerous for the credibility of the United Nations.

In addition, the draft resolution contains language that tends to prejudge certain permanent status issues, such as Jerusalem. We believe such phrases are inappropriate, argumentative and unhelpful to the peace process. We will continue to oppose inclusion of such language in resolutions of the General Assembly and the Security Council.

Finally, we believe that this draft resolution presents a problem that goes beyond the threat it poses to the Middle East peace process, and that is the threat it poses to the orderly conduct of the business of the United Nations. We believe that this draft resolution clearly infringes on the authority of the Security Council. By moving in the direction of General Assembly endorsement of collective action directed against one of its member States, it sets a dangerous precedent which could in the future be turned against any Member State.

The United Nations can play and has played an important part in supporting the Middle East peace process. This is the right and proper role for the United Nations to play. It requires creative thinking about what we can all do to move the process forward, especially at times of crisis. Certainly, it requires at the very least that we do nothing to place new obstacles on the path to peace. This means, in particular, that we must make every effort to avoid falling back on the punitive, accusatory, backward-looking formulations of resolutions past. Regrettably, the draft resolution now before us fails to do this, at great cost not only to the parties involved in the talks, but to the credibility of the United Nations itself as a supporter of peace in the Middle East.

It is clear to us that this draft resolution would have an effect that is the opposite of its advertised intent. Threats of economic boycott, condemnation and harsh rhetoric will only serve to erode the vital trust, confidence and quiet diplomatic efforts that are needed if the peace process is to begin moving forward again. That is why the United States will vote against this draft resolution. Each vote in favour of this draft resolution adds to the difficulty of reaching a just, lasting and comprehensive peace in the Middle East.

Mr. Powles (New Zealand): The purpose of convening an emergency special session of the General Assembly, as clearly stated in the resolution entitled "Uniting for peace" resolution, is to maintain or restore international peace and security. The decision to convene this tenth emergency special session will be justified if our deliberations are guided by this aim.

This will not be achieved, New Zealand believes, unless both parties come to the realization that a just and lasting peace must be the principle guiding their negotiations. Peace in the Middle East requires all parties to act with integrity. These foundations will generate the confidence and trust to move the Middle East peace process forward.

Parties to the peace process face several options for the future. These include engaging in meaningful steps towards the final status negotiations or in a decisive drive to achieve a final settlement in six months.

New Zealand believes that decisions on these options are for the parties to decide. It is for the parties to the negotiations to determine the most effective track. But we are concerned that all parties must refrain from unilateral actions which undermine the peace process and prejudice the options for peace.

In this respect New Zealand believes that the decision of the Government of Israel to initiate settlements in Jabal Abu Ghneim is inconsistent with international law. We do not recognize Israel's annexation of Jerusalem. New Zealand regards Israeli settlement activity in the occupied territories as a clear

example of a policy which undermines the peace process and prejudices options for peace. We cannot escape the conclusion that such activity runs counter to the need to work for a lasting peace.

Israel should build trust, not settlements. We call on the Government of Israel to reconsider its policy on settlements in the occupied territories. Equally, violence and terrorism are not an acceptable response to the actions of the Government of Israel.

The draft resolution before the Assembly today is clear on both of these points. We welcome the spirit of cooperation that has resulted in a text that New Zealand will support. We hope that this draft resolution will be adopted by an overwhelming majority.

It seemed until very recently that peace in the Middle East was achievable. It still is, if all parties want it. It cannot be forced on the unwilling or the intimidated.

Today, 25 April, is Anzac Day, on which New Zealanders remember their own war dead. It is therefore appropriate on this day for New Zealand to join others in calling on all parties to renew their commitment to peace, to rebuild confidence and trust and to enter into discussions on a lasting peace in the region.

Mr. Kharrazi (Islamic Republic of Iran): The convening of the tenth emergency special session of the General Assembly, to consider the nefarious Israeli policy of building settlements in the occupied territories — and recently in the Holy City of Al-Quds — clearly illustrates the outrage and grave concern of Member States. This outrage is directed not only against the continued Israeli defiance of the views and decisions of the international community, but also against the action of a permanent member of the Security Council that blocked a decision in the Council, thereby leaving the general membership with no other option but to resort to the extraordinary measure of convening an emergency special session of the General Assembly.

This emergency special session also indicates that under the provisions of General Assembly resolution 377 (V), entitled "Uniting for peace", the general membership of the Organization has decided that because of the veto in the Security Council on the same issue, the Security Council has failed to exercise its primary responsibility for the maintenance of international peace and security in a case where there appears to be a threat to the peace, a breach of the peace, or an act of aggression — namely, the Israeli decision to build Jewish settlements in the occupied territories, including in East Jerusalem. In this context, I should like to express our gratitude to the Arab Group for its initiative to convene this emergency special session of the General Assembly and to make this point crystal-clear.

It is plainly unfortunate to note that the Security Council was rendered ineffective by being prevented from merely calling upon the Israeli regime to end its illegal actions and policies, such as the policy of constructing settlements in the occupied territories, particularly in East Jerusalem. Undoubtedly, the exercise of the veto against the adoption of a draft resolution that only deplored the unlawful Israeli actions has done a major disservice to the credibility of the United Nations and the Security Council and to the cause of the rule of law, justice and fairness.

Numerous reports and documents of the United Nations, including the annual reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, have provided ample descriptions of the systematic and inhuman practices of the Zionist regime, which include arbitrary mass arrests, the detention and shooting of Palestinians, the sealing or demolition of their homes and the internal closure of the territories.

Last year, for the first time, the occupied territories were subjected to total internal closure, resulting in considerable hardships in the everyday life of their inhabitants. Such closures have had destructive effects on the economic and social situation of the occupied territories and have caused much suffering. This emergency session of the General Assembly should condemn, in the strongest possible terms, those Israeli practices as well as the decision to build new settlements in Jabal Abu Ghneim, in East Jerusalem.

Land confiscation and the building of new housing projects through the use of brute force, intimidation and "quiet" deportations have always, in past decades, been an integral component of the Zionist grand design to perpetuate its occupation of Palestinian lands. It is interesting to note that the statistics and figures indicate that the increase in the number of settlers during the past four years was the highest ever, illustrating the unholy dichotomy of the Israeli agenda. On the surface, they portray themselves as being engaged in a peace process, while at the same time, and in practice, they grab more

land, deport more Palestinians, and give rise to more outrage. Their policy of expanding Jewish settlements is in line with the long-term strategy of the Israeli regime, which is geared towards Judaization and a change in the geographic, demographic and religious status of Palestine and the city of Jerusalem in particular. This must be stopped forthwith. This emergency special session of the General Assembly has a historic responsibility with respect to the question of Palestine and must fulfil the responsibility it acquired by virtue of the Security Council's forfeiture.

The Israeli regime has intensified the policy of demolition of houses in Jerusalem and, despite the concern expressed by the international community, opened an entrance to a tunnel located within the close vicinity of the Al-Aqsa Mosque, causing grave international concern, particularly in the Islamic world. The continued aggressive policies adopted and implemented by the occupying Power against the Islamic sacred places and the occupation of Jerusalem, a city that enjoys the respect of all divine religions, must be condemned in this special session.

The view of the Islamic Republic of Iran on the issue is not a secret to anyone here, but we realize that in the realm of *realpolitik*, attempts are being made to resolve the Palestinian issue in any way possible. However, it is imperative for the General Assembly to take the lead in condemning and rejecting the illegal Israeli actions and policies in the occupied territories, particularly in East Jerusalem, with a view to bringing those unlawful practices to an immediate end.

Mr. Berteling (Netherlands): I have the honour to speak on behalf of the European Union. The following associated countries have aligned themselves with this statement: Bulgaria, Cyprus, the Czech Republic, Hungary, Latvia, Poland, Romania, Slovakia and Slovenia. Iceland and Liechtenstein have also aligned themselves with it.

In past weeks, extensive debates have taken place on the issue of the settlement plans in Jabal Abu Ghneim/Har Homa, both in formal meetings of the Security Council, on 5-6 and 21 March, and here in the General Assembly on 12 March. In these debates the European Union extensively clarified its position on the question of Israeli settlement activities.

In the General Assembly meeting of 12 March, a resolution deploring the decision of the Israeli Government to approve construction plans for Jabal Abu Ghneim/Har Homa and urging Israel to refrain from actually starting construction activities was adopted by an overwhelming majority.

The European Union has taken note with concern of the fact that Israel has effectively commenced construction activities in Jabal Abu Ghneim/Har Homa, with a view to building a new settlement on the West Bank, within the municipal boundaries of Jerusalem, as unilaterally defined by Israel.

The European Union disapproves of this fact, since it constitutes a violation of the fourth Geneva Convention and prejudges the outcome of the final status negotiations. The work undertaken in Jabal Abu Ghneim/Har Homa should therefore be suspended.

The European Union deeply deplores the violence that has occurred in past weeks. At this critical time, it is of the utmost importance that both parties show restraint and return to their political dialogue on all matters under dispute or subject to negotiation. The European Union calls on the parties to make every effort to revitalize the peace process and to refrain from any act which could jeopardize it.

Mr. Nor (Brunei Darussalam): First of all, I would like to thank the President of the General Assembly for convening this tenth emergency special session.

The recent actions taken by the Israeli authorities in East Jerusalem should be of great concern to members of the international community, as they represent a setback for our hopes for the peace process and the prospects for a just and comprehensive settlement in the Middle East.

Brunei Darussalam considers that the building of a new settlement on Jabal Abu Ghneim contravenes the inalienable rights of the Palestinian people, international law, the Fourth Geneva Convention of 1949, the Hague Rules of 1907 and relevant United Nations resolutions. It is a negative action and, in continuing it, Israel has defied the international community's call for an immediate halt to construction.

Brunei Darussalam calls upon Israel to cease construction immediately and asks the Security Council to persuade Israel to revoke its decision on the settlement project. We would also like to urge the Israeli leadership to avoid all activities which deprive the Palestinian people of their rights.

We hope that this Assembly will reflect the strong feelings recently registered by all members of the Organization of the Islamic Conference and the Non-Aligned Movement, and will support the adoption of the draft resolution before us today.

Mr. Wehbe (Syrian Arab Republic) (*interpretation from Arabic*): It gives me pleasure to convey to the President of the General Assembly our thanks for his continued efforts. I have confidence in the wisdom with which he is guiding the work of the Assembly towards a positive and promising result. I am grateful also to His Excellency the Secretary-General, Mr. Kofi Annan, for his great efforts towards the convening of this emergency special session and for following its work and its results.

I wish to express my greatest appreciation to all countries that have responded positively to our just request for the convening of an emergency special session on 24 April 1997, on the basis of the provisions of resolution 377 (V) of 1950, which gives the General Assembly the right to address any matter that could affect international peace and security in the event of the Security Council failing to shoulder its responsibilities. The purpose of this session is to discuss illegal Israeli actions in the occupied Palestinian territories, to formulate recommendations and to take joint action.

No one could have believed that we would ever hear anyone in this Organization say — and on more than two or three occasions — that the United Nations is not the appropriate place to discuss and resist Israel's settlement policy in the Palestinian territories, particularly in Jerusalem, and in the other occupied Arab territories, including the occupied Syrian Golan. That is an astonishing thing to say, because everybody knows that the Arab-Israeli conflict and all developments in the Palestinian question were born in the United Nations itself, in its principal organs and in its specialized agencies. Everybody knows that the annals and archives of the United Nations contain thousands of resolutions, documents, reports and decisions on the Arab-Israeli conflict, including the resolution adopted by the General Assembly at its fifty-first session relating to all aspects of the Israeli settlements and to sovereignty over water sources and other natural resources, as well as other resolutions dealing with the Middle East, Jerusalem, the Golan and Israeli practices in the occupied territories.

I believe that it is our right to turn to the United Nations. We are obliged to do this in order to cooperate with all peace-loving countries throughout the world to save the peace process, which Israel persistently tries to undermine by every means at its disposal.

Why have we asked for this emergency special session? The answer lies in the following points.

First, the Security Council dismally failed twice last month to carry out its responsibility because of the use of the veto by a permanent member of the Council. That veto gave the Prime Minister of Israel a green light to continue his settlements policy. It also amounted to disregard for the feelings of Arabs, Muslims and Christians, all of whom have very close historical and spiritual links with Jerusalem.

Secondly, our request for the convening of the session was in implementation of decisions adopted at the Islamabad summit of the Organization of the Islamic Conference, at the Cairo meeting of Foreign Ministers, at the Rabat meeting of the Al-Quds Committee, and at the New Delhi conference of Foreign Ministers of the Non-Aligned Movement.

Thirdly, the formula applied by the Arab Group in requesting this session was that of the "Uniting for peace" resolution, which reflects anew the true Arab will as expressed at the Cairo Arab Summit, where Arab leaders opted for peace as a strategic choice, provided that Israel followed the same path and also made peace its strategic choice.

Fourthly, we have turned to the United Nations four times over the past two months, which is incontrovertible proof that we see danger in Israel's policy of escalation, and in its persistent attempts to carry out settlement activities in utter disregard of General Assembly resolution 51/223 of 13 March 1997, and of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, which is applicable in all Palestinian territories occupied since 1967, including Arab Jerusalem, and in all other occupied Arab territories, including the Syrian Golan and southern Lebanon.

In that light, let me note that the United Nations is the great House to which we have always turned, to which we are turning now, and to which we shall turn in the future, because of our deep belief that the United Nations has the responsibility to deal with the Israeli-Arab conflict and with developments in the Palestinian question in all its dimensions and aspects, and throughout all its phases. Our action is not in any way intended to

belittle or diminish the role of the two sponsors of the peace process. To the contrary, it is intended to support that role by driving the peace process forward.

What does it mean, this peace we are talking about? And what does it mean when Israel talks about peace? Our peace is based on the Madrid Peace Conference of 1991, on resolutions 242 (1967), 338 (1973) and 425 (1978) and on the principle of land for peace. This is what we have committed ourselves to since the beginning of the Madrid Peace Conference.

But the other question we must answer is, what does peace mean for Israel? Israel often talks about peace. What does it mean? The peace of Israel consists of its Prime Minister saying no: no to withdrawal from the Syrian Golan, no to withdrawal from the occupied Palestinian territory and no to the existence of a Palestinian state. The Prime Minister has also said no to the cessation of settlement activities in East Jerusalem. Thus — and the Prime Minister confirmed this recently, after escaping from his latest crisis — his peace means continued settlement activities by the Israeli Government, for example in Ras al-Amud. It means destroying the Burj al-Laqlaq Society for social services in Jerusalem and opening a tunnel under the Al-Aqsa Mosque — and keeping it open despite Security Council resolution 1073 (1996).

Fifthly, the Israeli Government is still defying the United Nations resolutions regarding Jerusalem and still violating the Fourth Geneva Convention of 1949 and The Hague Rules of 1907. We are witnessing assaults by the Israeli authorities on the rights of Christian and Muslim Arabs in East Jerusalem, which has been occupied since 1967.

Sixthly, Israel is practising an iron-fist policy against Palestinians in the Gaza Strip and the West Bank. It is encouraging extremism by implementing a plan aimed at deporting and expelling Palestinian civilians in order, as the saying goes, "to purify" the Hebrew State of its Arab residents. As we all know, this expression represents the ultimate in racism and racial discrimination. The Israeli Government is destroying the very body of peace in order to finish it off.

It is regrettable indeed that the peace process that started in Madrid now seems to be dying because the Israeli Government is overturning all that we have accomplished, all our efforts, all of our commitments over the past five years. The Israeli Government's position rejects all the bases of peace previously agreed upon. This means the total annihilation of the peace process.

In answering the aforementioned questions we have to note that Israel is pursuing a policy of prevarication. What is this peace Israel is talking about, when at the same time it is clearly rejecting withdrawal from the occupied Syrian Golan and when it is saying that withdrawal from Southern Lebanon is subject to conditions? This latter claim is not in line with Security Council resolution 425 (1978), which says that Israel must withdraw from Southern Lebanon without any preconditions.

The present Israeli Government refuses even to recognize the commitments made by the previous Israeli Government. On the basis of these commitments we have adopted many binding resolutions. According to these commitments, reached before negotiations came to a halt, Israel has to withdraw to the fourth line of 1967. Israel does not want to implement these commitments. This is part of the Israeli policy that has replaced peace with expansion and the building of settlements. This is why Israel does not want to implement its commitments made before the final status talks. Israel does not want to implement the agreements it has made with the Palestinian Authority.

In view of all this, can someone tell me, what is this peace that Israel would like us to implement? Does all this contribute to the implementation of peace? Should Syria and other Arab parties be interested in a peace that does not give us back our rights?

As President Hafez al-Assad has said, the peace process has to succeed because we are all interested in peace. The whole region and the peoples of the world are interested in peace. But for peace to triumph, preparations must be made. Peace means justice. If justice is not an integral part of peace, then we have not peace, but capitulation.

The success of the peace process will reflect positively on the peoples of the region and of the whole world. Peace will spare us from making such sacrifices and would save so many resources that could be used to improve conditions.

The President of the Syrian Arab Republic has confirmed that we will continue to be on the side of peace, in all its aspects, and he has expressed the hope that everyone, all countries, will strive towards that end.

Syria has always supported, as it does today, this strategic option: to achieve peace Israel must completely withdraw from the Syrian Golan to the fourth line of June 1967; it must withdraw from Southern Lebanon and the occupied Palestinian territories, including Arab Jerusalem; and it has to guarantee the legitimate rights of the Palestinian people in implementation of United Nations resolutions and of the principle of land for peace. Under the terms of the resolution "Uniting for peace", we all bear a responsibility to make this question a priority, because peace is the way to achieve security.

In this light, I would like to state that, first, my country condemns the Israeli settlement policy and Israel's defiance of the will of the international community. We believe that Israel bears the responsibility for creating tension and violence in the region. It is changing the environment of peace to an environment of war. Mr. Shimon Peres, the former Prime Minister of Israel, said that the Government of Netanyahu was moving towards war.

Secondly, it is natural that Syria express solidarity with the Palestinian people and with the "children of the stones". They are facing the might and technology of a military force and are resisting the Israeli occupation in defence of their legitimate rights, which are guaranteed by international conventions. We have to ask how, under any moral system, we can call a child who is throwing stones a terrorist, while the Israeli soldier who is trying to kill him, who is attacking houses and mosques, is called a dove of peace? What is the logic behind this?

Thirdly, if our region is being compelled to relive the cold war, it is because of Israel's extremist, fanatic, aggressive and expansionist policies in the occupied territories and vis-à-vis the peace process.

Fourthly, the Israeli settlement policy is not new to us. It is rooted in history. But what is new is its intensification and the dangerous path it has taken towards judaizing the City of Jerusalem and expelling the Palestinians. Hence, the General Assembly is called upon to shoulder its responsibility and to take all measures necessary to stop immediately and forthwith the settlement of Jabal Abu Ghneim to the south of East Jerusalem and all Israeli settlement activities in Palestinian territory, particularly Jerusalem, and other Arab territories, including the occupied Syrian Golan.

Fifthly, we must take steps to compel Israel to respect the Fourth Geneva Convention of 1949 and the Hague Convention of 1907.

Sixthly, at this special session, convened under the banner "United for peace", the General Assembly is called upon to fulfil its duty to save the peace process, which Israel has tried to undermine completely and has brought to an impasse. Hence, we call upon the sponsors of the peace process and the countries of the European Union to accord serious attention to the peace process, commensurate with the dangers that beset it at a time when the Prime Minister of Israel threatens it, and peace and security in the region, with destruction.

We call on the General Assembly to take all necessary measures in order to halt all assistance being given to Israel's settlement activities, particularly in Jerusalem, which are illegal.

Syria's position on peace is well known and irrevocable. In particular, Syria has always asserted its attachment to the bases of the Madrid Conference and the principle of land for peace. It has called for the resumption of the peace negotiations at the point at which they were interrupted in order to build on what has been achieved and to salvage the results of the great efforts made over the past five years of negotiation by the interested parties. Whosoever would squander those results, though he may speak loudly of peace, cannot be serious in his claim to seek the peace sought by the peoples of the region and the world. The achievement of peace in the region requires the world to act with alacrity and sincerity before it is too late.

Mr. Amar (Morocco) (*interpretation from French*): May I convey to the President the gratitude and highest consideration of the Kingdom of Morocco. I also wish to express my country's thanks to His Excellency Mr. Kofi Annan, the Secretary-General of our Organization, for his tireless efforts and wise guidance.

Once again, we are meeting to discuss the decision of the Government of Israel to establish a new settlement. The delegation of Morocco is deeply concerned by Israel's decision of 26 February 1997 to pursue its illegal policy of establishing settlements in the Holy City of Al Quds. The decision to establish new settlements in Jabal Abu Ghneim in the eastern sector of Al Quds is the latest on the list of flagrant attempts to predetermine the results of the final status negotiations on Al Quds by changing

the legal status and demographic composition of the Holy City.

Month after month, we have seen Israel adopt a series of policies and actions, the most recent of which was the decision to build yet another settlement in the area of Ras al-Amud, to open a tunnel within the precinct of Al-Haram al-Sharif and to close offices of the Palestinian Authority in Al Quds. These actions have effectively created a new situation on the ground to the detriment not only of the Palestinian people but also of the peace process itself.

These acts were unacceptable when they occurred; they are unacceptable today; and they will be unacceptable in the future. They clearly violate the relevant resolutions of the Security Council and the General Assembly, which prohibit any measure susceptible of altering the legal status, demographic composition and civilizational role of Al Quds. They are also incompatible with the Declaration of Principles, the spirit and letter of the agreements that followed it, and the generally accepted principles of international law, in particular the Fourth Geneva Convention, which prohibits the occupying Power — in this case, Israel — from making permanent changes in territories under occupation or from settling any part of its population there.

Israel's recent decision to establish new settlements must be condemned, given that the peace process had appeared to be returning to a semblance of normalcy despite Israel's procrastination and attempts to reinterpret agreements already concluded. Today, all that — and particularly the mutual confidence that had been so patiently built up over the past four years — has been jeopardized by Israel.

Furthermore, we fear that the arbitrary measures taken by Israel may provoke among the Palestinian people a wave of anger and discouragement, with unforeseeable and often painful consequences.

In this regard, outside the United Nations, various international forums have concluded that Israel's latest decision is unacceptable. Thus, the recent ministerial meeting of the League of Arab States in Cairo, the ministerial meeting of the Organization of the Islamic Conference in Islamabad, the meeting of the Al Quds Committee recently held in Rabat under the high chairmanship of His Majesty King Hassan II, and the twelfth Ministerial Meeting of the Non-Aligned Movement in New Delhi all called for the adoption of concrete measures to reverse the latest Israeli transgressions in the occupied territories.

The peace process in the Middle East has given rise to hopes for a new era of peace, stability and prosperity for the peoples of the region, including the Palestinian people, which has so long fought and suffered for its rights. The peace process was to promote the convergence of differences and respect for the interests and needs of all the people of the region. We were convinced that this process would usher in a new era in relations between Israel and the Arab countries. But we are forced to note that Israel's unilateral measures are pushing us backwards, because they belong to a past they we had sorely wished was behind us.

The results achieved to date in the peace process are certainly historic. It is now up to Israel scrupulously to implement the provisions of the various agreements it has concluded with the Palestinians. The recent agreement on Hebron was to have been followed by negotiations on other contentious questions, and more specifically on the future status of Al Quds and the problems of settlements, refugees and borders, as well as on the permanent status of the occupied territories.

The peace process and the agreements entered into by the parties concerned in the Middle East must be implemented in full, in a coherent and just manner, and not selectively, sporadically or conditionally. We call upon the international community, in particular the sponsors of the peace process, to oppose the decision on the new settlements so as to ensure that the process is not reversed.

The Kingdom of Morocco has no option but to support peace and the commitments made to respect all the requirements for peace. My country is fully aware of the fate that will befall the Middle East if the peace process fails. There can be no lasting peace unless all the parties choose peace on the basis of justice and the mutual recognition of legitimate rights and previously agreed requirements.

Only as a result of courage and respect for commitments by their leaders can the peoples of the region harvest the fruits of peace. We hope that such a peace can become a reality for generations of people who have lived in fear, suspicion and violence for many decades. Israel must build confidence, not settlements.

Mr. Eltinay (Sudan) (*interpretation from Arabic*): My delegation is convinced this emergency special session of the General Assembly is taking place at a moment when the question of Palestine and the situation in the Middle East have reached a critical point because of the decision of the Israeli Government to pursue its settlement policy, the Judaization of Jerusalem and its attack on the city's Arab identity.

This emergency special session of the General Assembly has been convened, under the "Uniting for peace" resolution, in the wake of the Security Council's failure to carry out its responsibility for the maintenance of international peace and security, with regard to the Middle East, twice within one month. Israel's decision to establish a new settlement at Jabal Abu Ghneim, followed by bloody and violent repression of civilians who refused to abide by its decision, constitute a flagrant violation of Security Council resolutions 252 (1968) and 476 (1980), which consider the Israeli measures in Jerusalem null and void. We call on the United Nations to put pressure on Israel to lift its siege of the city and allow Muslim and Christian Palestinian citizens to practise their religions.

The Israeli practices will surely lead to a disaster with grave consequences for the peoples and States of the region and for international peace and security. That is why the Sudan condemns the Israeli actions against civilians. We call upon the General Assembly, respecting the relevant treaties and international agreements, to shoulder its responsibilities for the maintenance of international peace and security, and we call on Israel to put an end to its actions, which wound the sensibilities of Muslims and the adherents of all other religions of the world. Israel must be required to do away with policies intended to change the demographic and legal status of Jerusalem and the occupied Arab territories on the basis of the principles set out in the Charter that reject the annexation of territories by force.

The Sudan, in solidarity with the legitimate rights of the Palestinian people, and respecting the decisions of the Arab summit in Cairo and the ministerial meeting of the Organization of the Islamic Conference in Islamabad, calls on the General Assembly, the most democratic body in the United Nations, to put an end to all illegal practices in Jerusalem. We also call on the two sponsors of the peace process to put pressure on Israel so that it will respect the decisions of the international community, especially Security Council resolution 465 (1980), to call for an end to all settlement activities and the dismantling of existing settlements and to reaffirm that settlement policies contravene international law.

The continuation of the Israeli actions could well sound the death knell of the peace process. The Sudan is firmly convinced that to ensure a comprehensive, just and lasting peace in the Middle East, Israel must abandon its policy of colonization in the Arab territories occupied since 1967, including Jerusalem, the rest of the West Bank, southern Lebanon and the Syrian Golan, in accordance with Security Council resolutions 242 (1967), 338 (1973) and 425 (1978). Israel must respect the rights of the Palestinian people, including its right to establish an independent State, with its capital in Jerusalem.

As an occupying Power, Israel must respect the Fourth Geneva Convention, whose provisions apply to Jerusalem, which is a Holy City for Muslims and Christians. We condemn the recent Israeli actions against the Palestinian people, which create tension and instability, and call on it to abandon such actions and respect the rights of the Palestinians. That is why we support the draft resolution in document A/ES-10/L.1. We call on all States to take this legal measure so that peace and security can reign in the Middle East and an independent Palestinian state can be established, with its capital in Jerusalem.

Mr. Hamdoon (Iraq) (*interpretation from Arabic*): The convening of the tenth emergency special session of the General Assembly is an eloquent expression of the realization by the Member States of the United Nations of the need for the General Assembly to discharge its role under the Charter in maintaining international peace and security and to deal with the harmful effects of the Israeli expansionist policies in the occupied Arab territories.

Israel, the occupying Power, took a decision on 26 February 1997 to build a new settlement, in Jabal Abu Ghneim, within the expanded municipal borders of the city of Jerusalem in order to establish new facts on the ground that serve its expansionist settlement plan and its policy of "ethnic cleansing". This decision evoked the anger and denunciation of the international community. It is a new, flagrant violation of the rights of the Palestinian people, a continuation of the policy of usurping land by force and a breach of international humanitarian law, the Fourth Geneva Convention and resolutions of the United Nations. Moreover, it prejudices the very legal status and demographic composition of Holy Jerusalem, as well as its spiritual value not only for Arab peoples, but also for the Muslim and Christian worlds.

As soon as Israel declared its intention to initiate the building of the settlement in East Jerusalem, the Arab Group resorted to the Security Council in order to obtain a clear decision to halt the Israeli settlement policies, which gravely threatened regional and international peace and security. Regrettably, the Security Council failed twice to discharge its responsibilities because of the veto exercised by the United States. Israel went forward with its settlement activities in the occupied Arab territories and persisted in its brutal suppression of the uprising of the Palestinian people, and tension continued to escalate in the region.

Israel would not have been able to continue to violate the most basic principles of international humanitarian law and the resolutions of the United Nations, including the resolutions of the Security Council, were it not for the unlimited support given to it by the United States. That support has included neutralizing the role of the Security Council and exerting pressure to prevent the convening of this emergency special session.

The continuation of these policies will lead the region and the world to the most tragic catastrophes because it will mean the absolute absence of law and the absolute sovereignty of the logic of brute force. Those who neutralize the role of the Security Council with regard to Israeli expansionism and who claim that peace cannot be achieved through the resolutions of the Security Council do not hesitate to exploit the same mechanisms in the most heinous ways to carry out their political designs against peoples. While they prevented the Security Council from condemning the flagrant Israeli violations of the Council's resolutions and of the sensibilities and sacred places of the Muslim and Christian worlds, they did not hesitate to convene the Security Council day and night for eight consecutive days this month with the aim of condemning a flight of Iraqi pilgrims to the Holy Places in Mecca.

The convening of this emergency special session and the draft resolution it will adopt regarding the illegal Israeli actions send a strong message that promotes the role and responsibility of the United Nations in the maintenance of international peace and security, a strong message in the interests of justice and peace and in repudiation of selectivity and double standards.

Mr. Bergh (South Africa): My delegation welcomes the convening of this emergency special session of the General Assembly on the illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory.

That the convening of the emergency special session follows so soon after meetings of the Security Council and the General Assembly were held to consider the situation in the occupied Arab territories bears undeniable witness to the fact that recent developments in that region have become a serious cause for concern, a concern underscored by the firm resolve in support of the peace process which was discernible in all those deliberations.

South Africa has followed the unfolding developments in the Middle East with optimism since the signing of the Declaration of Principles and the Hebron Protocol. As these instruments are based on the relevant Security Council resolutions and the Oslo accord, South Africa — and, indeed, the international community — recognized and acclaimed them as representing positive steps towards the full realization of the long-awaited, comprehensive and just settlement in the region. We had hoped and believed that the parties concerned would honour their commitments to these important agreements and would show good faith by refraining from any measures that could place obstacles in the way of their implementation.

The decision of the Israeli Government to commence the building of new settlements in Jabal Abu Ghneim has had a negative impact on the peace process. We are all aware that the Oslo agreement calls on the parties to the agreement to avoid measures that may adversely affect the negotiations and the final status of the territories concerned.

It would appear that by embarking on this settlement policy, the Government of Israel is engaging in a unilateral attempt to change the legal status and demographic composition of Jerusalem — an issue which has yet to be discussed at the final status negotiations.

The present decision is also a departure from the principle of land for peace agreed by the Israeli Government and the Palestine Liberation Organization, and stands in stark contrast to the principle of the "Peace of the Brave" advanced by the former Prime Minister of Israel, Mr. Shimon Peres.

The actions of the Israeli Government in Jerusalem and the rest of the occupied territories are illegal, as they constitute a flagrant violation of international law and a total disregard of the resolutions of the United Nations. It is therefore not surprising that these actions have given rise to a situation that seriously endangers peace and security in the region. The Israeli Government should

bear full responsibility for the current tension and violence which is gripping the occupied Palestinian territories.

We believe that the peace agreements signed by the Government of Israel and the Palestine Liberation Organization represent a firm foundation for ensuring security for all and building peace in the Israeli-occupied territories. Unilateral decisions can serve only to erode and undermine the mutual trust and cooperation which is essential to sustain the peace process.

We therefore urge the Israeli Government to fulfil its obligations under the agreements reached by both parties and to demonstrate its commitment to the promotion of peace in the occupied Arab territories.

Indeed, the challenge before this body and the international community is to ensure that the Israeli Government fulfils the commitments and obligations it has solemnly undertaken.

South Africa will vote in favour of the draft resolution before us because it sends a clear message to the Government of Israel that the international community is determined to put the peace process back on track.

Mr. Ould Yahya (Mauritania) (*interpretation from Arabic*): I should like to begin by paying tribute and expressing our deep gratitude to the President of the General Assembly. We are convinced that his political experience and diplomatic skills will contribute to the success of this emergency session, as they have done to that of the fifty-first session of the General Assembly, which he has been guiding with outstanding skill and in a most responsible manner.

We would like also to thank the Secretary-General for his continued efforts, which made possible the convening of this emergency session of the General Assembly. The session was requested by the Group of Arab States in the light of the real danger threatening the Middle East peace process.

Our gratitude goes also to those States that felt duty-bound to support the Arab initiative to convene an emergency special session of the General Assembly. Their support demonstrates once again the international community's firm belief that the United Nations must shoulder its responsibilities in this sensitive region.

Following the decision taken by the Israeli Government to build a new settlement at Jabal Abu Ghneim, in East Jerusalem, and the resulting tension in the occupied Palestinian territories; in view of the concern and reproval of the entire world, in particular the Arab and Muslim world; in the face of the Security Council's inability, after two successive meetings, to take adequate measures to deal with this crisis; and in view of the non-compliance with the resolutions and recommendations of the League of Arab States, the Organization of the Islamic Conference, the Al-Quds Committee and the Non-Aligned Movement, we had to call for the convening of this emergency special session. In accordance with United Nations rules of procedure, we had no other means of seeking legal redress. Mauritania thus attaches particular importance to this session.

It is our moral and legal duty to confront, in a serious and responsible manner, the threat posed to the Middle East peace process by Israel's illegal policies and actions in the occupied Palestinian territories, and in East Jerusalem in particular. These practices violate not only international law, in particular the Hague Convention of 1907 and the fourth Geneva Convention of 1949, but also the relevant Security Council and General Assembly resolutions and the treaties and agreements freely entered into by Israel with other parties to the Middle East peace process.

The question of Jerusalem is a sensitive one for all of the revealed religions and for Muslims in particular. This was made clear by the resolutions adopted at the Islamic summit held several weeks ago in Islamabad and by the decision taken at the most recent meeting of the Al-Quds Committee, held in Rabat. That is why Israel's decision to build a new settlement in East Jerusalem represents a violation by Israel not only of the agreements signed with the Palestinian authorities on the future of Jerusalem, but also of international law and of Security Council resolutions 252 (1968) and 476 (1980), which reaffirm that all Israeli measures taken in Jerusalem have no legal validity and are therefore null and void.

My country expresses its support for the draft resolution before us at this emergency session and calls on all countries to support it as well in view of its balanced and responsible nature, because by so doing we will reaffirm once again the international community's commitment to a Middle East settlement and contribute to international peace and security.

Mr. Felicio (Brazil): The Security Council and the General Assembly have been overwhelmingly supportive

of the series of bold steps taken by the leaders of the Middle East since the Madrid Conference of 1991. The signing of the Declaration of Principles in Washington opened the way for concrete progress in the Gaza Strip, Jericho and, more recently, Hebron. These have been landmarks in the gradual improvement in relations among the parties concerned, which began to shape what has largely come to be accepted as an irreversible peace process. Brazil has been, and remains, a strong advocate of this process as the only viable alternative for stability through tolerance and solidarity among all peoples in the region.

The convening of this emergency special session of the General Assembly is indicative, however, of the disquiet with which Member States have been following the latest developments. Challenges to the peace process have been overcome in the recent past. The remaining challenges must likewise be tackled with the same resolve which produced the momentous results of the last few years. If there is no deliberate intention to retreat from the commitment to peace — and we have heard no statement to that effect — mistrust cannot be allowed to express itself through disregard for international law, or through terrorism or other forms of violence.

The prospects for a comprehensive, just and lasting solution to the question of the city of Jerusalem have come to the forefront of our attention. Action with respect to Jerusalem which threatens to erode laboriously-achieved progress as regards other localities should be avoided at all cost. The capacity to put aside mutual hostility and engage in constructive dialogue has already been displayed. It must be regained and strengthened through intensified consultation and negotiations. Permanent-status negotiations between the parties should aim at establishing freedom of religion and conscience, as well as free unhindered access to the Holy Places by the faithful of all religions and nationalities.

The hopes of the long-suffering populations of the Middle East have been raised by the vision of a future of peace. Their leaders, with the support of the international community, have made significant strides in that direction. Solutions will not be durable, however, if intransigence prevails over the capacity to look for compromise. Brazil is convinced that the most promising opportunity for peace in a generation must be seized in earnest. We urge the parties to resume contacts, in good faith, on the basis of agreements already reached, and to seek inspiration in their own achievements since Madrid in their search for lasting peace.

Mr. Diatta (Niger) (*interpretation from French*): A few months ago, during the Assembly's general debate at its fifty-first session, my country from this rostrum welcomed the progress made in the Middle East thanks to difficult but essential dialogue between Israel and the representatives of the Palestinian Authority towards a comprehensive, just and lasting settlement of the Palestinian question, which is the core of the Middle East conflict. On that occasion my country also expressed fear that this positive dynamic could come to an end if the United Nations did not play its proper role: that of keeping the Middle East from descending into a new war with an unforeseeable outcome.

Niger therefore welcomed the convening of this emergency special session of the General Assembly to consider the decision of the Israeli authorities to establish a new settlement in occupied East Jerusalem. The serious deterioration of the situation in the occupied Palestinian territories resulting from that decision gives rise to grave concerns on the part of the international community about the success of the peace process initiated at Madrid on the basis of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), and on the basis of the principle of land for peace.

In this climate of tension it is the duty of the General Assembly to take the measures necessary to save the peace process to which all of us here are deeply committed. This is all the more vital because the Security Council has been unable to ensure that the voice of justice is heard.

In terms of saving the peace, my country believes that only strict and complete implementation of the peace agreements that have already been concluded can enable all parties unequivocally to translate into deeds the desire for peace that motivates them and that they have clearly proclaimed at this session. At this stage of the negotiations, the international community must thus prevent any geographic or demographic change that could prejudge the final status of Jerusalem, and must view as illegal any action taken to that end.

In the same vein, my country considers Al-Quds Al-Sharif to be an integral part of the Palestinian territories occupied since 1967 and therefore considers that all provisions relating to the other occupied territories, contained in the resolutions of both the General Assembly and the Security Council, must be applied to it.

It is within our power to secure the triumph of the dialogue and justice that form the basis for a future of peace and security in the Middle East, a future which must include the exercise by the Palestinian people of their inalienable rights, including those relating to the establishment of an independent State. Thus, in this difficult phase of the peace process, everything must be done, as a matter of priority, to restore trust among the various parties and thus to accelerate the negotiations with a view to full implementation of the agreements.

For its part, my country, which supported the convening of this emergency special session, hopes that this session will enable the international community unambiguously to come out against the building of new housing at Jabal Abu Ghneim, and against all unilateral measures that could endanger the peace process.

Mr. Legwaila (Botswana): A year ago it would have been beyond our wildest dreams that the General Assembly would be meeting in an emergency special session to consider illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territories. There was hope for a peaceful resolution of the Middle East conflict, particularly with regard to the Palestinian question. Unfortunately, the actions of the Government of Israel in the last few months have made it abundantly clear that this could still be another missed opportunity for peace in the Middle East. The right of the State of Israel to exist within secure and internationally recognized borders is in no doubt in our minds. The enjoyment of this right by the Israelis cannot, however, be based on depriving the Palestinians of the enjoyment of a similar and equal right.

Israel has a claim to Jerusalem as its capital based on historical, political and religious considerations. And so do the Palestinians. This means that the final status of Jerusalem can be determined only through painstaking and comprehensive negotiations, and not through unilateralism. No attempt should therefore be made by either side to pre-empt the outcome of such negotiations, in any way whatsoever, including tampering with the present physical map of the city. The future status of Jerusalem is understandably a highly emotive issue for both the Palestinians and the Israelis, and it cannot therefore be subject to unilateral action without inviting a response of some kind from the other side.

Botswana totally abhors violence, even though we at times understand the despair and desperation of those who resort to the use of violent means to register their frustration, having been left without any alternative. Peace with security for Israel should also translate into peace with security for the Palestinians, including the security of their entitlement to a part of Jerusalem. Permanent peace cannot be built on the foundation of ever-escalating levels of provocation by one side, nor on the graves of the sons and daughters of both Palestine and Israel. Permanent peace can be established only through trust and mutual understanding. Israel's claims and aspirations cannot and should not be attained at the expense of similar Palestinian claims and aspirations, and vice versa. There can be no superior claim over the city of Jerusalem in this regard.

This emergency special session is a clear manifestation that the overwhelming majority of the States Members of the United Nations are agreed that the construction of the new settlements in East Jerusalem jeopardizes the peace process, and that these States are ready to stand up and speak for the protection of the peace process. The special session was not convened merely to express solidarity with the hopes and aspirations of the Palestinian people and nation, although there would be nothing wrong with doing so because theirs are legitimate hopes and aspirations. The session was convened to express the bewilderment of the Member States at the blatant and unnecessary threat to the peace process and to make Israel understand and appreciate the international frustration and concern brought by the construction of the new settlements. We hope that the Government of Israel will also understand that its actions are not in the interest of the peace of Israel itself. The message would have been even more loud and clear if the United Nations could have spoken with one voice on this occasion. Israel would have realized the isolation of its position and abandoned the construction of these new settlements.

It took many painful years of negotiations for the peace process to reach its present stage, and it would not be in the interest of regional peace to reverse the gains made so far. The construction of new settlements in East Jerusalem would have exactly that undesired result — hence the deep concern of the international community. Our wish and prayer are that the Government of Israel will heed the international disquiet caused by the construction of the new settlements in East Jerusalem and abide by the letter and spirit of the peace agreements Israel freely entered into with the Palestine Liberation Organization.

Mr. Kim Chang Guk (Democratic People's Republic of Korea): The principle of land for peace is the

nucleus of the Middle East peace process. Israel has been insisting that the issue of the construction of Jewish settlements should be resolved between Israel and Palestine on a bilateral basis, instead of being deliberated at the United Nations. However, Israel has made a unilateral decision on the construction of the Jewish settlements, in violation of its agreements with the Palestinians.

By bringing new Jews to settle in East Jerusalem, Israel is pursuing its goal of changing the demographic composition and legal status of East Jerusalem and, ultimately, of perpetually occupying East Jerusalem. Such acts on the part of Israel are in contravention of the United Nations resolutions on Palestine and relevant international law, and therefore it is natural that these acts are being denounced by the international community.

Moreover, the international community is gravely concerned over the fact that these Israeli acts will create an obstacle to the peaceful resolution of the Middle East question. There can be no peace in occupied lands. Israel cannot enjoy peace even if it uses its might to enforce peace in the occupied territories.

It is the sacred right of people in occupied countries to strive for freedom and liberation. It is a law that, where there is occupation and repression, there is resistance. If Israel sincerely desires to coexist in harmony with its Arab neighbours, it should recognize this historic truth.

The issue of the Middle East should be resolved fairly and comprehensively on the principle of land for peace. The legitimate rights of the Palestinian people, including the right to establish an independent State, should be restored and Israel should withdraw from all occupied Arab territories. Above all, Israel should immediately halt its construction of new Jewish settlements in East Jerusalem.

For decades, the Democratic People's Republic of Korea has extended its support, both material and spiritual, to the just cause of the Arab peoples. And we are proud of this. The world has changed a lot. However, our support for the Arab peoples has never changed. In the future, too, we will firmly stand on the side of the Arab peoples until they achieve their just cause.

Mr. Guillén (Peru) (*interpretation from Spanish*): In the years since the United Nations decided to create two States and to establish Jerusalem as a *corpus separatum*, the Organization has witnessed struggles that have completely changed the territories that were to have served as the demarcated borders of those two States.

For that reason, Peru, like the great majority of States Members of the United Nations, has consistently supported and co-sponsored resolutions endorsing the agreements reached in Oslo and Madrid as well as the peace process to which the parties involved have committed themselves.

Hence, the expansion and resumed construction of settlements in territories that were to have been exchanged for peace and security within internationally recognized borders are unacceptable and in contradiction of the decisions of the Security Council and international law. It is also unacceptable to see Jerusalem divided on the basis of a de facto situation obtained by force.

The General Assembly is meeting for a second time — now in an emergency special session — because the final status of Jerusalem, which was to have been discussed at the end of the peace process, has been and continues to be violated by the construction under way in Jabal Abu Ghneim.

The eastern zone of Jerusalem is protected by the principles contained in Security Council resolutions 242 (1967), 252 (1968) and 338 (1973), which determined that Israel can have no sovereignty over those territories.

Jerusalem must therefore be protected by international law. Moreover, it must be fully respected because the General Assembly, in resolution 181 (II) of 1947, emphatically called for holy places, religious sanctuaries and buildings to be respected, with clear freedom of access, visitation and transit. Legally and politically, any peace agreement must also contain internationally guaranteed provisions reiterating and ensuring the freedom of men and women of all faiths of the world to visit Jerusalem, which must be a capital of spirituality, faith and tolerance.

Since 1947, the United Nations has guaranteed any Member of this Organization the right to resort to the General Assembly to point out any threat or infraction of the Jerusalem regime. This General Assembly's objective must be to send an urgent message to all parties involved that the peace process should be resumed immediately and to reject these acts, which are contrary to established international agreements.

Peru maintains that the Assembly's draft resolution must emphatically, now more than ever, call for abstention from of any act of violence on the part of

My statement would not be complete if I did not refer to the specific situation of Jerusalem, which must become the world archetype for brotherly coexistence, since in it originated the major religions that have millions of devotees. A climate of religious tolerance, guaranteed by political and spiritual freedom, is not only necessary for life and for the activities of Jerusalem, but a symbol for the entire world. What I, as the Permanent Representative of Venezuela to the United Nations, am saying here is nothing new. The General Assembly has been proposing such an approach and arrangement since 1947.

In our efforts to strengthen trust, we hope that the bilateral negotiations will continue to develop in a climate of creativity, honesty and mutual good faith. Serious conflicts have taken place in the Middle East over the past 50 years. We have been able to overcome them; the international community has had the strength and the instruments to do that. But we must safeguard the future and prepare the way for the twenty-first century in a climate of greater coexistence, trust and solidarity.

For all of those reasons, Venezuela has come here to support formulas for coexistence, consensus, commitment, peace, harmony and international solidarity, which will not exacerbate confrontation but facilitate understanding and peace.

The Acting President: In accordance with General Assembly resolution 3369 (XXX) of 10 October 1975, I now call on the Observer for the Organization of the Islamic Conference.

Mr. Ansay (Organization of the Islamic Conference): On behalf of His Excellency Mr. Laraki, the Secretary-General of the Organization of the Islamic Conference (OIC), I thank you, Sir, for calling on me to address the General Assembly at its tenth emergency special session, on the illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory.

At the outset, let me reiterate what I said in my statement last month to this body: contrary to the expectations of all of us, the situation in Palestine is not getting any better, but becoming more bitter. We in the OIC joined the international community in supporting the peace process in the Middle East, despite some of the disadvantageous elements in the agreements affecting Palestinian interests. We had, in fact, hoped for a future of peace in the area because of the signs of progress that appeared after the early stages of the implementation of the Oslo accords. We had welcomed last January's agreement on the redeployment of Israeli troops from Al-Khalil and were prepared to continue to extend our support for the attainment of the agreed goals and objectives of the peace process.

With great sadness, I have to say that not only our hopes, but those of all well-wishers in the international community, are now shattered by the regrettable turn of events in Palestine, the responsibility for which lies with Israel, and Israel alone. For it is Israel that has brought about the turmoil, through a series of violations of various elements of the peace agreements. It was the Israeli decision to build a new settlement in Jabal Abu Ghneim in East Jerusalem that constituted its latest attempt at pre-empting the outcome of negotiations on the final status, by trying to change the legal status and demographic composition of Jerusalem, a city which is of central importance for not only the Arab world but also the entire Muslim world, being the first Kiblah and the third Holy City of Islam, and for all three major religions, as well as for the international community. The Israeli decision clearly violates the relevant resolutions of the United Nations Security Council and General Assembly, the Declaration of Principles and subsequent agreements. It also threatens to undermine whatever progress has thus far been achieved in the Middle East peace process.

At the Security Council meeting held on 5 March 1997, the Islamic group at the United Nations called on the international community, including the Security Council, to take urgent steps to ensure that the Government of Israel reversed its decision and renounced settlement activity in all the Arab occupied territories, in particular East Jerusalem. Unfortunately, the Council failed to take a position on the issue, necessitating the convening of the General Assembly on 12 March, and now this emergency special session. In this context, I would like to inform the Assembly that the situation in Holy Jerusalem will be the principal subject to be raised by the Secretary-General of the OIC at his meetings with the President of the General Assembly, the President of the Security Council, the Secretary-General of the United Nations and the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, during his visit to New York next week, following his contacts this week in Palestine with President Arafat and in Amman with the Jordanian authorities.

We want to maintain the spirit of our solidarity with the peace process in the Middle East, and we reiterate our condemnation of this latest decision by the Israeli Government concerning East Jerusalem, as we did after another provocative action by Israel: the opening of the tunnel under the Western wall of the Holy Al-Aqsa Mosque. We also wish to register our dismay at the Israeli attempt to redeploy from only an additional 2 per cent of the West Bank, instead of making a meaningful, effective and complete withdrawal from that Palestinian territory.

I would like to take this opportunity to reaffirm the OIC's position that a comprehensive and lasting peace in the region cannot be achieved without the full implementation of Security Council resolutions 242 (1967) and 338 (1973) which, *inter alia*, emphasize that Jerusalem is part and parcel of the territories occupied since 1967.

The President took the Chair.

We in the OIC continue to believe in the necessity — indeed, the urgency — for the Security Council to implement all of its relevant resolutions, including 252 (1968), 267 (1969), 465 (1980), 476 (1980), 478 (1980) and 1073 (1996), which all concern Jerusalem, as well as to take all the necessary measures to prevent Israel from altering the geographical and demographic status of Jerusalem and from taking any action which in any way affects the status of Jerusalem, the final status of which has yet to be discussed in the subsequent stages of the peace process.

At this point, I would refer to the view now being advanced by one or two Member States to the effect that the United Nations may not be the proper place to deal with the issue of Palestine. This is, strangely enough, being said about the world body which was established 51 years ago in order

> "to save succeeding generations from the scourge of war...to reaffirm faith in fundamental human rights, in the dignity and worth of the human person...and...to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained".

I have quoted these words from the Charter of the United Nations and, certainly, no Member State can deny that. Nor can it be denied that the Oslo accords and all other agreements flowing from those accords stem from the spirit, principles and relevant provisions of the Charter.

Bilateral negotiations between two equals emerging from the Oslo accords are welcome and would continue to be of value so long as one of the two parties involved does not assume the weight of the strong and tries to subdue the weak. Once this happens, as Israel is doing now, it becomes incumbent upon the weak, in this case the Palestinians, to look to the United Nations for strength so that Israel may be persuaded to adjust its conduct appropriately in the implementation of the peace accords and try to become as judicious and reasonable in its negotiations and deeds in Palestine and in Jerusalem as the General Assembly would expect it to be.

We would now urge the General Assembly once again to play its role and to use its influence to bring an end to the continuation of Israeli intransigence, as demonstrated in its settlement policies in the occupied Palestinian and Arab territories, including its attempt at the Judaization of occupied East Jerusalem. We would appeal to the General Assembly to consider all these Israeli policies and practices as blatant violations of the relevant United Nations resolutions and international agreements — especially the Fourth Geneva Convention of 1949 — and pronounce itself accordingly.

Through you, Sir, we would also again request the international community to persuade Israel to lift the siege around Jerusalem and to stop the implementation of all its decisions and practices that are adversely affecting the interests of the Palestinian people, especially the confiscation of Palestinian lands, the demolishing of Palestinian properties and houses, the withdrawal of identity cards issued to Palestinians — which is designed to expel them from Jerusalem — and the restrictive measures that are preventing the freedom of movement of persons and goods, not only between the territories of Palestine and Israel, but also within the Palestinian territory itself and between it and the outside world. All of this is not only continuing the disruption of Palestinian civilian lives, but is also preventing any of the viable development of the Palestinian economy required under the Oslo accords. We also urge the General Assembly to prevent Israeli excavations around the Al-Aqsa Mosque and to cease forthwith the violations of the Islamic and Christian Holy Places in Jerusalem.

I would like to reassure the General Assembly through you, Sir, as I have done in the Security Council and in the Assembly before, that as soon as the necessary measures to restore peace and security in the area have been undertaken — thus improving the environment for the resumption of the peace process — the OIC and its 54

member States, which represent the very serious concerns of more than one billion Muslims all over the world, will reinforce their whole-hearted support of the peace process in the fulfilment of their collective desire to see peace and tranquillity return to the area.

In conclusion, I would refer to the draft resolution before the General Assembly today, which contains a fair and judicious approach to the continuation of the peace process in the Middle East. Its adoption by the Assembly will send the correct and timely signal to the area that the international community is not indifferent to the peace process, but rather is most concerned about it and expects and demands a fair and judicious dealing by Israel in that process; which currently should be under way.

The President: We have heard the last speaker on the debate on this item.

We shall now proceed to consider draft resolution A/ES-10/L.1.

Before calling on the first speaker in explanation of vote before the voting, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats. Having said that, I would like to appeal to all those delegations that will be making explanations of vote before or after the vote that, due to the lateness of the hour, they try to be as brief as possible in the explanations of vote before or after the vote.

I shall now call on the representatives who wish to explain their votes before the voting.

Mr. Peleg (Israel): In my statement yesterday, I emphasized that there can be no substantive or procedural justification for the convening of this emergency special session. I am even more certain of this having read the draft resolution circulated last evening.

The Middle East peace process has no need for another forum to hurl heated and heedless rhetoric or another resolution detached from reality and devoid of even-handedness. The people of that region are looking for solutions and answers. They will not find them in this draft resolution.

Direct negotiations have been and will continue to be the only viable and effective solution to the problems of our region. This is indisputable. Since the convening of the Madrid Peace Conference in 1991, we have achieved dramatic and historical progress. But this was accomplished only when the parties engaged in face-to-face negotiations — sometimes around the clock and for weeks on end — tirelessly seeking agreement through compromise.

While this draft resolution contains many contentious elements, I would like to confine my remarks to one central theme.

At this critical juncture, no resolution regarding the peace process by this or any other body can afford to ignore the acute and pressing problems of terror and violence. This requires more than a passing bland reference buried in the draft resolution generically rejecting terror. It also requires a complete rejection of any incitement to violence. The peace process cannot be sustained unless there is a categorical and unambiguous commitment by all of the parties to prevent and combat terror and violence.

The Palestinian Authority must work resolutely on the ground to root out those known elements that prepare and perpetrate acts of terror. Allow me to emphasize that Israel and the Palestinian Authority know who and where these terrorists are. The stakes are too high for the Palestinian Authority to say one thing and do another.

We were therefore taken aback by the remarks of the Observer of Palestine yesterday from the podium, which called for the Palestinians to take to the streets to protest. Statements such as these are not what we expect of the Palestinians and should be condemned unequivocally by the international community. They have real effects on the ground.

Over the last 24 hours, a number of violent incidents have occurred in the Jerusalem area. An incendiary device was thrown at a bus, rocks were hurled at Israeli vehicles and an Israeli was stabbed in Jerusalem. These incidents all took place, if I may borrow the phrase of the Observer of Palestine, in the streets, while this debate occurred.

The draft resolution before us does not send the right message to the peoples of the region, in particular to the Palestinians. The message must be that the peace process will go forward and that violence and terror are illegitimate and unacceptable. It is for this reason that Israel will vote against the draft resolution and calls on other countries to do the same.

Mr. Seyoum (Eritrea): The State of Eritrea attaches great importance to the issue of peace in the Middle East and has been following developments in that region with keen interest in the past years.

It was the decision of the Israeli Government to build a new settlement in Jabal Abu Ghneim, to the south of East Jerusalem, that brought about the convening of this emergency special session after the matter failed to be resolved in the Security Council Chamber. It is regrettable that this had to happen, but in the conflict between the Israelis and the Palestinians, insecurity in the region goes beyond the dispute over the construction of new settlements. The central issue is the basic principle of the Palestinian people's right to self-determination, which my Government considers crucial to the achievement of peace in the Middle East.

My Government fervently believes in the exercise by the Palestinian people of their right to self-determination through the establishment of an independent homeland. It is the conviction of my Government that a just, stable and lasting peace cannot prevail in the Middle East without the realization of this fundamental right.

Any agreement, resolution or continuation of the peace process that does not guarantee this in clear language would serve neither the interests of the Israelis or the Palestinians nor regional security and stability. It is dismaying that past United Nations resolutions pertaining to peace in the Middle East have fallen short of this goal, as does the draft resolution before us today.

The future status of the city of Jerusalem is another matter of great concern that should be looked at in an international context. In this respect, my Government agrees with the recommendation contained in operative paragraph 11 of draft resolution A/ES-10/L.1.

Finally, upon instructions from my Government, the delegation of the State of Eritrea will vote in favour of draft resolution A/ES-10/L.1, on which the tenth emergency special session of the General Assembly is about to take action.

Mr. Albin (Mexico) (*interpretation from Spanish*): The Government of Mexico supported the convening of this emergency special session on the basis of the historical Mexican position of support for the right of each and every State to bring to the attention of the General Assembly all issues of interest to it.

Independently of that fact, it is of concern to us that the Security Council was unable to take a stand on the item currently under consideration. We are here today because of the repeated use of the veto, a privilege that we would like to see abolished, and certainly not granted to any other Members.

The Government of Mexico has resolutely supported the Middle East peace process. Mexico is convinced that dialogue and the peaceful settlement of disputes are, and will always be, a better alternative than violence or confrontation. The building of new settlements by the Israelis in East Jerusalem runs counter to international law and to the relevant resolutions of the Security Council. These activities predetermine and endanger the peace process.

Mexico reiterates once again its condemnation of terrorist acts, which kill and injure innocent people and can never in any way be justified. One of the foundations of the peace process begun at Madrid is the principle of the inadmissibility of the acquisition of territory by force. This fundamental premise of international law has led, in world public opinion, to the expression "land for peace". We recognize the political validity of this phrase, which is in line with the foundations of the peace process. However, we would have preferred that, as the formulation of a legal principle, it be more rigorously worded.

Finally, we call upon the parties to respect the commitments entered into and to re-establish the necessary conditions for reactivating and accelerating the peace process. It is for this reason that my delegation will vote in favour of the draft resolution before us today.

Mr. Holter (Norway): Norway has on several occasions urged the Government of Israel to reconsider its decision to establish a new settlement in Jabal Abu Ghneim/Har Homa, in East Jerusalem. I take this opportunity to reiterate our appeal to the Israeli Government to respect the spirit of the Oslo agreements and not to proceed with unilateral activities which change the facts on the ground and thus pre-empt the outcome of the negotiations on the final status of Jerusalem.

It is also with great concern that we recently have witnessed new terrorist acts against innocent Israeli civilians and a resurgence of violence. Terrorism must be condemned in the strongest possible terms, and it is of vital importance that all necessary efforts be made to

prevent it. The utmost efforts must be made to break this spiral of violence, which could derail the peace process.

Norway remains convinced that the current crisis in the peace process can be solved only by the parties themselves, through direct negotiations, as foreseen in the Oslo agreements. We therefore urge the parties to show restraint and to respect and implement both the letter and the spirit of the agreements, and to work together towards a lasting and comprehensive peace in the Middle East.

While we may not have problems with the main elements in the draft resolution before us, we nonetheless are concerned that its adoption at the present time will not be conducive to the goal which we are all seeking, namely the early resumption of negotiations between the parties, in accordance with the Oslo agreements. Against this background, my delegation will abstain on the draft resolution.

The President: We have heard the last speaker in explanation of vote before the voting. The General Assembly will now take a decision on draft resolution A/ES-10/L.1.

I should like to announce that, since the introduction of the draft resolution, the following countries have become its sponsors: Cambodia and Maldives.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, Saint Kitts and Nevis, Saint Lucia, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zimbabwe

Against:

Israel, Micronesia (Federated States of), United States of America

Abstaining:

Australia, Canada, Germany, Latvia, Liberia, Lithuania, Marshall Islands, Norway, Romania, Rwanda, Uruguay

The draft resolution was adopted by 134 votes to 3, with 11 abstentions (resolution ES-10/2).

The President: Before calling on representatives wishing to speak in explanation of vote, I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): The Russian delegation is pleased to acknowledge the excellent work done by the sponsors of the resolution that the General Assembly has just adopted. They took into account proposals and amendments to the original text from a number of delegations, including mine.

In its current form, the resolution seems to us adequately to reflect the seriousness of the situation in the Middle East peace process that came about as a result of the start of construction on a new settlement at Jabal Abu Ghneim in East Jerusalem and other acts by Israel in the occupied Palestinian territories. The Russian delegation therefore voted in favour of the draft resolution.

At the same time, we wish to explain our position on a number of its provisions. Specifically, the reference

in paragraph 11 to internationally guaranteed provisions regarding the status of the Holy Places in Jerusalem has no direct relation to the topic of the resolution. My delegation holds to the premise that the status of the Holy Places in Jerusalem is a subject for Palestinian-Israeli negotiations; for that reason, this "innovation" in the text is a premature provision that must not be seen as imposing a solution to this matter.

Mr. Minoves-Triquell (Andorra), Vice-President, took the Chair.

As regards the expression of concern in the fourteenth preambular paragraph about the activities of armed Israeli settlers and the rejection in operative paragraph 12 of terrorism, we want to stress the need for liaison between the two parties in the area of security and for implementation by the parties of all their commitments under the relevant agreements. In that context we stress the importance of paragraph 10, which urges the parties to do this.

As a co-sponsor of the peace process, Russia also views the reference to Security Council resolution 425 (1978) as somewhat inappropriate in the context of the Madrid conference. At the same time, on the basis of our principles, we support Security Council resolution 425 (1978) as a basis for a settlement between Lebanon and Israel.

We hope that the adoption of today's resolution at this emergency special session of the General Assembly will help create favourable conditions for the resumption of the Middle East peace process and for the earliest possible settlement of pending problems.

Mr. Abou-Hadid (Syrian Arab Republic) (*interpretation from Arabic*): The delegation of the Syrian Arab Republic was a strong supporter of convening the tenth emergency special session of the General Assembly, devoted to a discussion of illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory. My delegation was among the first to inform the Secretary-General of its support for the convening of the session.

Because of its national sense of responsibility, my country continues very strongly to support the inalienable rights of the Palestinian people, including the right of return, the right to self-determination, and the right to the establishment of an independent State on its own territory with East Jerusalem as its capital. We consider that the Palestinian question is at the core of the Israeli-Arab conflict. In that connection, we reaffirm once more our firm support for the Middle East peace process, initiated at Madrid in 1991 on the basis of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), and on the basis of the principle of land for peace.

Syria remains ready to resume the peace process from the point it had reached in Washington. We believe that the present Israeli Government must respect and implement the commitments and promises undertaken by the previous Israeli Government regarding full withdrawal from the occupied Syrian Golan to the lines of 4 June 1967.

My delegation voted in favour of today's resolution because it believes that the construction and expansion of Israeli settlements in the occupied Arab territories undermines the peace process and jeopardizes the peace and security of the region and of the entire world. We would at the same time like to clarify our position on a number of paragraphs in the resolution.

First, with reference to paragraph 7, my delegation reaffirms that all Israeli settlement activities in the Arab territories occupied since 1967 are illegitimate and must be considered null and void and in violation of the principles of international law.

Turning, secondly, to paragraph 11, we would have preferred the resolution not to include such a vague paragraph on the status of Jerusalem. Owing to the sensitivity of the issue and the importance of the city of Jerusalem, this paragraph distances us from the crux of the matter under discussion and, in fact, takes us in the wrong direction. The status of Jerusalem has been addressed in relevant United Nations resolutions, and we consider that it would have been appropriate to make reference to these.

Thirdly, as for operative paragraph 12, we consider that the inclusion of this paragraph conflicts with the content of the resolution, which focuses on the illegitimacy of Israeli settlement activities in the Arab lands that were occupied by force. These activities contravene the most basic principles and rules of international law. The inclusion of paragraph 12 derails the resolution and has no place in its text.

Mr. Rowe (Australia): Australia has in the past supported and continues to support the principles underlying the resolution which the General Assembly

has just adopted. We also strongly endorse the rejection, contained in the text, of terrorism in all its forms and manifestations.

But Australia's fundamental interest is in the resumption of negotiations between the parties, in order to move further towards a just, enduring and comprehensive peace in the Middle East. Australia considers that there is an urgent need to re-establish trust and confidence between the parties as a prerequisite for progress. We are deeply concerned that the resolution will do nothing to advance the achievement of that result, and we therefore abstained in the voting.

Mr. Henze (Germany): Germany would like to explain its vote by stressing that, from the beginning, it considered the text of the resolution unbalanced. We therefore abstained in the voting. We would like to state, however, that Germany supports the position of the European Union member States concerning Israeli settlements in East Jerusalem.

Mr. Fowler (Canada): Canada abstained in the voting on the resolution entitled "Illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory". It is Canada's view that the resolution is not helpful at this critical juncture of the Middle East peace process.

Canada is a strong supporter of and an active participant in the search for a durable and lasting peace in the Middle East. We are, thus, deeply concerned by the current impasse in the negotiating process. It is our view that only through direct dialogue and negotiations can the parties achieve a just, lasting and comprehensive peace in the region.

We oppose any unilateral actions that would prejudge the outcome of these negotiations. We urge Israel to stop settlement activity in East Jerusalem and elsewhere in the occupied territories. In Canada's view, the construction of an Israeli settlement at Har Homa/Jabal Abu Ghneim is a violation of international law and harmful to the peace process. We believe it is incumbent on the parties to honour and fully implement their existing agreements. This commitment must include a determined effort on the part of the Palestinian leadership to combat terrorism.

Mr. Samadi (Islamic Republic of Iran): My delegation voted in favour of resolution ES-10/2. However, while expressing our reservations regarding operative paragraph 11, I would like to say that my delegation's vote in favour of the resolution should not be construed in any way as recognition of Israel.

Mr. Moubarak (Lebanon) (*interpretation from Arabic*): My delegation voted in favour of the resolution and would like to stress the following points.

First, my delegation would have preferred the inclusion in the text of an explicit reference to the Declaration the General Assembly adopted during the fiftieth anniversary of the United Nations reaffirming the right of peoples to resist foreign occupation, in accordance with the United Nations Charter and international law. We also reiterate our condemnation of Israeli terrorism, which is manifest in the ongoing acts of violence committed by Israeli settlers and the Israeli Army throughout occupied Arab territory.

Secondly, we are considering the question of the Israeli occupation and the establishment of settlements, including in Jerusalem. Any such illegal activity should be condemned. True to our consistent policy, we should state that the two parties should negotiate the permanent status of the Holy City in conformity with the principles of the Madrid peace agreement and taking into account the need to ensure full Israeli withdrawal from occupied Arab territory, including Jerusalem.

Thirdly, we wish to reaffirm the ongoing relevance of the peace process agreed to in Madrid, which is based on Security Council resolutions 242 (1967), 338 (1973) and 425 (1978). We further reaffirm the need for Israel to comply with the Madrid framework and to resume negotiations on all those matters on which negotiations have come to a halt. Israel must respect the principle of land for peace and withdraw from all occupied Arab territories.

Mr. Pérez-Otermin (Uruguay) (*interpretation from Spanish*): At the earlier meeting of the General Assembly, Uruguay stated its position clearly opposing Israel's policy of establishing new settlements in East Jerusalem. On this occasion, Uruguay abstained in the voting on the understanding that, in order to ensure that the peace process will continue, this matter should be left to bilateral negotiations between the two parties.

The Acting President: The Observer of Palestine has asked to speak. In accordance with General Assembly resolutions 3237 (XXIX) of 22 November 1974 and 43/177 of 15 December 1988, I call on the Observer of Palestine.

Mr. Al-Kidwa (Palestine) (*interpretation from Arabic*): On behalf of the Palestinian people and leadership and of the Permanent Observer Mission of Palestine to the United Nations, I should like to convey our sincere thanks and appreciation to all the Member States that supported the convening of this tenth emergency special session of the General Assembly and the resolution just adopted by an overwhelming majority. This confirms once again the international community's firm position.

This session is undeniably of historic importance for us, the Palestinian people and the peace process in the Middle East. It is no exaggeration to say that it is of historic importance for the work of the United Nations in general. We now hope that the new, clear message addressed to Israel, the occupying Power, will help us to achieve our desired objective, in particular the cessation of the illegal Israeli actions and a return of the peace process to its appropriate track. It is our sincere hope that this will occur in spite of the few negative indications and irresponsible comments, which we will not address here.

At any rate, while we hope that the results will be positive, we reaffirm that, should Israel choose the wrong path, we will resort once again to the Security Council and, if necessary, to this emergency special session.

Once again, I reiterate our sincere thanks to the General Assembly. It is our hope that, together, we can contribute to the establishment of a just, lasting and comprehensive peace in the Middle East.

The Acting President: In accordance with the resolution just adopted at the present meeting, the tenth emergency special session of the General Assembly is temporarily adjourned.

The meeting rose at 1.15 p.m.